

UPPER BLACK SQUIRREL CREEK GROUND

WATER MANAGEMENT DISTRICT

REGULAR MEETING MINUTES

January 3rd, 2017

The January meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order Tuesday, January 3rd, 2017 at 5:32 P.M., at the District Office, 520 Colorado Avenue, C., Calhan, CO by President Booker, and determined that a quorum was present.

Board Members in Attendance: President Donald Booker, Vice-President J.R. Bond, Secretary Dave Doran, Treasurer Mark Greeley

JR Bond joined the meeting at 5:40 PM

Absent Dave Elliott

Others in Attendance: John Hill, Tracy Doran, Lisa Thompson via telephone, Jonathan Lucas, Pete Johnson

PUBLIC NOTICE OF THE MEETING WAS POSTED

1. Agenda for January 3rd, 2017:

Director Doran motioned to approve the January 3rd, 2017 agenda with the addition under New Business of #3 El Paso County Review for Judge Orr RV Park, and #4 Jonathan Lucas Variance on Dawson Well. Director Greeley seconded the motion. Motion carried (3-0)

2. Minutes for November 1st, 2016 Meeting:

Director Doran motioned to approve the minutes with the change on page 3, #5 to read October 27, 2016, instead of 2017. Director Greeley seconded the motion. Motion carried (3-0)

3. Treasurer's Report & Any Bills Needing Board Approval:

Treasurer Greeley reported on the income and expenses. Treasurer Greeley motioned to approve the November & December 2016 treasurer reports and pay the attorney bill for \$6,084.95, HRS Bill for \$4,753.80, and Poysti & Adams bill for \$700.00. Director Doran seconded the motion. Motion carried (3-0)

4. Sunshine Law:

- A. Meetings to be held the first Tuesday of every month at 7:00 PM or at a time designated by the Board at 520 Colorado Avenue, C, Calhan, CO or at a location designated by the Board of Directors.
- B. Agendas to be posted on the front door of the District Office located at 520 Colorado Avenue, Suite C, Calhan, Co and on the District's web site www.upperblacksquirrelcreekwater.com
- C. The minutes and records of the meetings to be retained at the District Office located at 520 Colorado Avenue, Suite C, Calhan, Co and will be made available on the District's web site after approval.

OLD BUSINESS:

1. Cherokee Metro & Meridian Service Metro/Replacement Plan/Case No. 08GW71:

No updates to report

2. Cherokee Water Court Case No. 14CW3061:

Attorney Thompson reported that there will be a trial in October 2017, and that this is the Case where it is outside the district but that we have been monitoring. Ms. Thompson reported on deadlines. The Board will discuss in executive session.

3. Cherokee Wells 1-8/Case No. 15GW15:

Attorney Thompson reported that this is Cherokee's case regarding a determination on the legal uses for wells 1-8, the Hearing is 5 days, starting in March 2017.

4. Woodmen Hills Ground Water Commission Case No. 03GW20/Replacement Plan:

Attorney Thompson reported that this is the Replacement Plan application for Woodmen Hills that was scheduled for 2016 and rescheduled for the very end of 2017, starts Dec 4th, and is for 5 days. Attorney Thompson reported on deadlines.

5. Meridian Ground Water Commission Case No. 15GW14/ Replacement Plan :

Attorney Thompson reported that the Hearing is scheduled for 5 days beginning February 6th, 2017. Ms. Thompson reported that Meridian just took depositions of both Eric Harmon and Steve Barrett on December 19th, 2016. The Board will discuss in executive session.

6. Wiebe Well/Goss/Cherokee:

Attorney Thompson reported that she has gone over the letter from Art Sintas. Discussion followed.

7. Cherokee-Albrecht Case No. 15GW08/Application for Change in type and Place of Use (Export) for Well Permit Nos. 27571-FP & 27572-FP:

Attorney Thompson reported that Cherokee had filed their notices of the export application, and there were no objections filed. Ms. Thompson reported that Cherokee has requested of the Board that there be a Hearing held with just the applicant Cherokee; and they will come and present the information and the evidence, and that they would like this to occur as soon as possible. Ms. Thompson reported that the next meeting the Board will have will be when she is involved with the Meridian Case, and there may be some Board members who may be involved as well and she proposes that it be held at the March meeting. Attorney Pete Johnson reported that Cherokee and the current owners of the water rights would like to close that deal as soon as they can, and would like for it to be scheduled as soon as possible. Mr. Johnson reported that there were no objections filed, and that it will probably just be

him and the expert that they used to explain the process he went through to get his analysis. Mr. Johnson asked that it be scheduled for the next meeting. Discussion followed with the Board on when to set the Hearing. The Hearing will need to be published two times in the paper before the Hearing. Director Bond motioned to set the Cherokee/Albrecht Hearing and publish for March 7, 2017. Director Greeley seconded the motion. Motion carried (4-0)

8. Blue Springs Ponds:

Director Doran and Director Bond reported on their field visit. They reported that Chris Grimes from the State was with them on the field visit and will address the ones that still need corrected. Director Doran reported on another diversion that they located outside of Blue Springs subdivision that Mr. Grimes will also be sending a letter to. Discussion followed on the diversion off Peyton Hwy. The Board would like to take a field visit and see what is going on there. Attorney Thompson will write Doug Hollister.

9. Water Quality Control Commission/Regulation 42/TDS:

There were no updates on this item.

10. Ground Water Contamination Study:

There are no updates on this item.

NEW BUSINESS:

1. Water Well Permit Application/CMH Homes:

Director Doran motioned to approve the CMH Homes water well permit. Director Bond seconded the motion. Motion carried (4-0)

2. Water Well Permit Application/John Lupton:

Director Greeley motioned to approve the Lupton water well permit with 2 homes, and 1 acre foot. Director Doran seconded the motion. Motion carried (4-0)

3. El Paso County Review/Judge Orr RV Park:

The Board reviewed the El Paso County Review for the Judge Orr RV Park. The Board discussed that they did not have a chance to review this as it came in after the packets went out. The Board asked Lisa to give a quick review of it and directed Mrs. Doran to send a letter to the County with their concerns and to cc the Health Dept.

4. Jonathan Lucas/Board Request/Variance on Dawson Well:

Mr. Lucas introduced himself and explained that he has a property in the Reata subdivision and has had a Dawson well for 15 years and that his well quit around Thanksgiving. Mr. Lucas reported that he had applied for a new well permit for the Denver aquifer but since that time he has hired a water sourcer out of Pagosa Springs, and he located a source of water in the Dawson, but it is further than the District's 50 foot rule, but he needs to go 350 feet. Mr. Lucas reports that his data does not indicate there will be very much Denver water. Discussion followed with the Board and Mr. Lucas. The Board took no action and suggested that Mr. Lucas keep his Denver well application as he will not be limited to the 50 foot rule, and can put it anywhere.

ANY OTHER BUSINESS THE BOARD MAY HAVE:

NA

VISITOR INPUT:

NA

Director Doran motioned to go into executive session at 6:51 PM to discuss Cherokee and Meridian Ranch Metropolitan District's. Director Greeley seconded the motion. Motion carried (4-0)

Director Bond motioned to come out of executive session and back into regular session at 7:23 PM. Director Greeley seconded the motion. Motion carried (4-0)

EXECUTIVE SESSION:

Please take notice that Attorney Thompson pursuant to C.R.S. §24-6-402(4) (b) (e), is requesting an executive session with the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District during its regular meeting scheduled on Tuesday, January 3rd, 2017, regarding the following matters:

1. Cherokee Metropolitan District
2. Meridian Ranch Metropolitan District

EXECUTIVE SESSION REPORT:

There was no action taken.

ADJOURNMENT:

President Booker called for the meeting to be adjourned.

There being no further business before the Board at this time Director Doran made a motion to adjourn the meeting. Director Greeley seconded the motion. Motion carried (4-0)

The meeting adjourned at 7:25 P.M.

Respectfully submitted,
Tracy Doran/Office Manager